

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 11:00 A.M. Present: Honorable James A. Ardaiz, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Elaine J. Duffy, Supervising Deputy Clerk.

**F044898      Lisa S. v. The Superior Court of Kern County; Kern County Dept. of Human Services**

Cause called and argued by Jeremy D. Swanson, Esq., counsel for petitioner and by Jennifer Thurston, Esq., Deputy County Counsel, counsel for real party.

Cause ordered submitted.

Court recessed until Thursday, April 8, 2004 at 10:00 A.M.

**F042604      The Lundin/Weber Company LLC v. Brea Oil Company, Inc.**

The trial court's judgment in this matter is affirmed. Respondent is awarded costs on appeal. Dawson, J.

We concur: Wiseman, Acting P.J.; Gomes, J.

[CERTIFIED FOR PUBLICATION]

**F042553      People v. Beck**

**F042585      People v. Beck**

**F042589      People v. Beck**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F042059      People v. Dagostino**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F041906      People v. Knight**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F041906      People v. Knight**

We reverse the convictions of driving under the influence causing injury (count 3), driving with a blood alcohol level over .08 causing injury (count 4), and hit and run (count 5). We strike the Penal Code section 12022.7, subdivision © enhancements and the Vehicle Code section 20001, subdivision © enhancement. We direct the trial court to prepare an amended abstract of judgment reflecting this modification and to forward a copy of the amended abstract to the Department of Corrections. In all other respects, we affirm the judgment. Gomes, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]